Mr. David Margolick
The New York Times, Law section
229 W 43 St.,
New York, NY 10036

1/27/93

Dear Mr. Margolick,

Nothing personal, but you've been suckered again on political assassination, this time by HBO. (I'd appreciate a copy of the press kit if you saved it.) If my dear friend Mo Waldron were still around there and you had spoken to him you'd have known. He covered the two weeks of evidentiary hearing in Memphis at which Ray did, contrary to what you apparently were told, testify. For several days, too. I was ~~the~~ Ray's investigator. I did the habeas corpus investigation, based on which we got him the evidentiary hearings, and I did the investigating for that, producing the non-theory witnesses HBO will probably use and Fox TV did use. We exculpated Ray but the judge held that guilt or innocence were not material to what was before him. And I do mean that based on my investigation we did, literally, exculpate Ray at that hearing. How else, with Percy Foreman his lawyer, could we have proven that Ray did not have the effective assistance of counsel? (That was the part of the case I prepared. The legal work, the rest, was done by Jim Lesar, 918 F St., NW, #509, Washington, DC 20004; 202/393-1921) HBO has not asked me for the transcripts of that hearing, which may get to your comment that "Everything about the ersatz trial....is scrupulously genuine." (Apologies for my typing. It can't be any better.)

It was Foreman, not Raoul, who coerced Ray into the plea. And in those days there was no risk at all of Ray getting the chair. The 99 years was in fact the maximum possible sentence then.

So, as you can see, it is not true that Ray's plea "fell on deaf ~~ears~~ judicial ears - until, that is, HBO granted him certiorari." As the Supreme Court earlier had with his petition for the evidentiary hearing, in effect, by affirming the lower court on it.

Jack Saltman, Thames TV's producer, boasts of their "trial", which will certainly be largely rehash plus theory. He says his show may be "our best chance to get the truth."

His and Thames' concept of getting the truth is not coming to go over the six or seven file cabinets of once-secret official records, most of the FBI's, that I got in several FOIA lawsuits, mostly CA 75-1996. I'll get to how they know about it when I reach Bill Pepper in your story.

If Law professor Burt Neubourne did "immerse" himself in the so-called "literature," don't dare get in the same room with him! There is only one factual book on the King assassination, my Frame-Up. It provided the basis for the investigation I made for Ray. And if a law professor reads the crap the rest are and can regard them as factual, he is part of HBO's scam. That "we don't know all the facts," his quote, is kid stuff. Obviously! And more so from the crap he's read, which has no facts.

They told you that he "selected the lawyers." Bull! Bill Pepper was long in on this with Thames TV. He phoned me for them a year or more ago and tried to hire me to work for

them on the show. I refused. I think he asked me to appear, and if I am correct, I also refused that. I learned my lesson about assassination theorists from Jim Garrison. Belatedly, but I did learn it, and I've had nothing to do with any theories, ever. Or with any non-serious work on the assassinations. I make my FOIA records available to all because I believe that FOIA makes me surrogate fof the people, but I am not part of what they write, show or report.

Does this give you a possible different reason for not making Bill Pepper available?

He knows about my files and several years ago he had a local Hood College student going through them and making copies for him. But I did not tell him what to look for and he did not know and she did not work here long enough to get to know for him.

The "old faces" you refer to who are not interested in participating on the joint project are not real witnesses. As Abernathy was not a real witness. How "real " a witness can be is largely how real the lawyer can make him. I am confident that enough of those who were witnesses for me are alive and would participate if they believed the show is for real. And more than I could refer them to, and wouldn't. (Some are dead.)

Where they have what is real, they'll be using my work. I don't mind and I do not expect any credit for it.

I know they are trying to solve the crime. Just yesterday a private investigator (very good man) I've known for years was here for Bill Pepper following up on something I brought to light in CA 75-1996 that the House assassins committee was not able to do anything with.

While I cannot make it as a statement of fact, I do believe that it is probable the Thames idea was Bill Pepper's idea, that he proposed it to them. I got that impression from his attempt to hire me.

Blakey is a fraud and a farce. He talks about others loving to be on TV? He ran his whitewashing committee so that he would be a TV star. He "narrated" the beginning of each hearing that was broadcast. That is never necessary. I prepared Senate hearings in the 1930s and we not once had to do that. Blakey never investigated either crime and never intended to. The one thing he brought to light in the JFK case was forced on him and he planned to use it as the putdown of putdowns of the critics. So you can understand, he asked me to agree to speak to him and an assistant counsel, and I agreed to subject to my not violating my confidential relationship with Ray. They never came here. And I had to force the hearing transcripts on them. They did not follow up on any of that, avoided most of it, and pretended that they had investigated and discovered what I had forced the FBI to disgorge and they got that way. To a limited degree, I add. The FBI did not intend to give them all it had been forced to give me! I have the FBI's records on this. What a phony as an investigator! He set out to affirm the official myths about the assassination and the rumor was he hoped it would make him Attorney general.

I was the Times' source of some of the stories critical of him and his committee. The reporters who were here include Wendell Rawls and John Credwdson. I was Lardner's source of the Post and I gave the St. Louis Post-Dispatch four page-one articles that Blekey with all his staff and subpoenaes was ignorant of. And this involved one of his own witnesses from whom he did not get what the Post-Dispatch serialized and put on its wire. (I gave it other stories on the King case.)

I've rambled a bit and I'm sorry, But I do want you and the Times to know that you have again been conned by those who have something to gain by taking advantage of your lack of subject-matter knowledge.

On the same day the Times carried a short item of the Fox TV show. I agreed to be on it only with assurance that nobody with any theory would be on it. Then I saw Lane and Gregory, who have nothing else but untenable theories, and the Tikes referred to me as a conspiracy theorist. Also as a buff. Hardly a description of a former reporter, investigative reporter, Senate investigator and editor and war-time (OSS) intelligence analyst. Besides publishing seven non-theory assassination books and filing the precedent FOIA lawsuits. The investigatory files exemption was amended in 1974 over FBI corruption in one of my earliest suits.

I hope the coming show is good and does Ray some good. He was not the assassin and was not knowingly involved in what would end as an assassination. I have proven the first beyond question, subject to cross-examination, and I know enough to be confident about the second.

If you ever want to check any assassination stories out, feel free, subject to the strange hours imposed by my health. You don't know me. Ask Lardner on the Post. He's known me for 25 years and never had any trouble with any story he got from me or used me on.

But I must be abed by 7 p.m.

All my records, about a third of a million once-secret government pages, will be a permanent public archive at local Hood College. You may want to remember the name of the history prof in charge. He is one of the two professional historians who are solid and dependable on the assassinations. Gerald McKnight. The other, at the University of Wisconsin-Stevens point, is David Wrone. Most of these are JFK assassination records and full access to them is, not a single one of the multitude of conspiracy-theory books has made any real use of them. This should give you an idea of how expert the self-proclaimed experts are.

I will apreciate anything you can send me on this commercialization and exploitation and on any other so I may leave a better, more complete record for history.

Sincerely,

Harold Weisberg

Harold Weisberg